

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Case No. 8:12-cv-00936-TMC

FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver for
COMMUNITY BANK AND TRUST,

Plaintiff,

vs.

MARY JOANN EMIG,

Defendant.

ORDER OF DEFICIENCY
JUDGMENT
(242 Horseshoe Bend-Lot 17)
(Vacant Lot 21)
(Vacant Lot 22)

Foreclosure - (Non-Jury)
Deficiency Judgment Demanded

Pursuant to the Judgment of the United States District Court of South Carolina given in the above case on September 18, 2012, the Plaintiff is entitled to have a personal and deficiency judgment against the Defendant Mary Joann Emig as follows:

Amount of judgment of foreclosure entered by the District Court	\$1,045,484.40
PLUS: Prejudgment interest at 6.5% from September 7, 2012, through date of entry of judgment, September 18, 2012 (Per Diem \$142.14)	\$ 1,705.68 ¹
Subtotal	\$1,047,190.08 ²
 PLUS: Interest at 6.5% from September 18, 2012, the date of judgment of foreclosure to December 13, 2012, date of deed (Per Diem \$186.49)	 \$ 16,038.14³
Statutory Commission	\$ N/A
Foreclosure Deed, Affidavit, and Release of Lien	\$ 11.00 ⁴
Bid Fee	\$ 278.89
Subtotal	\$ 16,329.03
 Total Judgment	 \$1,063,518.11

¹ Interest accrued from 9.7.12 through 9.18.12 in the amount of \$1,705.68 = 12 days x \$142.14 per diem.

² The post-judgment interest per diem is \$142.14 = \$1,047,190.08 x .065 ÷ 365.

³ Interest accrued from 9.18.12 through 12.13.12, the date of deed, in the amount of \$16,038.14 = 86 days x \$186.49 per diem.

⁴ The original cost requested for filing the foreclosure deed, affidavit, and release of lien in the Affidavit of Attorney Fees was \$15.00. The actual cost was \$26.00. The additional request for \$11.00 is the difference between the request and actual costs of recording these documents.

LESS: Amount of Bid **\$ 298,216.83**

DEFICIENCY JUDGMENT ENTERED AGAINST ABOVE NAMED DEFENDANT **\$ 765,301.28**

I ORDER, AUTHORIZE AND DIRECT the Oconee County Clerk of Court to cancel the lis pendens filed on March 20, 2012 as 2012-LP-37-89, and satisfy and cancel the subject mortgage of record in Book 2624 at Pages 6-10, as to 242 Horseshoe Bend, Westminster, SC 29693 - Lot Number 17, Tax map Number: 268-00-01-069; Vacant Lot at Horseshoe Bend, Westminster, SC 29693 - Lot Number 21, Tax Number: 268-00-01-073; and Vacant Lot at Horseshoe Bend, Westminster, SC 29693 - Lot Number 22, Tax Number 268-00-01-074.

IT IS SO ORDERED.

s/Timothy M. Cain
Timothy M. Cain, U.S. District Court Judge
District of South Carolina

Anderson, South Carolina
December 20, 2012